



Attorney Docket No. RIB-001CP
(7995/3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Steitz *et al.*
SERIAL NO.: 09/922,251 GROUP NO.: 2878
FILING DATE: August 3, 2001 EXAMINER: Not yet assigned
TITLE: RIBOSOME STRUCTURE AND PROTEIN SYNTHESIS
INHIBITORS

**PETITION TO MAKE SPECIAL UNDER
37 C.F.R. § 1.102(d) AND MPEP § 708.02 (XII)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.102(d) and MPEP § 708.02 (XII), Applicants hereby petition the Commissioner to make the above-identified patent application special so that it may be advanced out of turn for immediate action.

Accompanying this petition are:

- (a) a Statement Of Facts In Support Of Petition To Make Special by Susan Froshauer, Ph.D., President and Chief Executive Officer of Rib-X Pharmaceuticals, Inc.; and
- (b) a check in the amount of \$130.00 to cover the petition fee pursuant to 37 C.F.R. § 1.17(h).

In view of the statement of facts provided herewith, Applicants respectfully request that this Petition be granted. The Office is invited to contact the undersigned with any questions concerning this paper.

04/16/2002 AOSMAN1 00000028 09922251

01 FC:122

130.00 OP

Date: April 9, 2002
Reg. No. 38,678

Tel. No.: (617) 248-7317
Fax No.: (617) 248-7100

2347299_1

Respectfully submitted,

Duncan A. Greenhalgh
Attorney for Applicants
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

RECEIVED
APR 16 2002
TECHNOLOGY CENTER 2800
MAY 3 1 2002
TECH CENTER 1600/2900



Attorney Docket No. RIB-001CP
(7995/3)

RECEIVED
APR 16 2002
TECHNOLOGY CENTER 289A
3 1 2002
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Steitz *et al.*
SERIAL NO.: 09/922,2518 GROUP NO.: 2878
FILING DATE: August 3, 2001 EXAMINER: Not yet assigned
TITLE: Ribosome Structure and Protein Synthesis Inhibitors

**STATEMENT OF FACTS IN SUPPORT OF
PETITION TO MAKE SPECIAL**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Susan Froshauer, Ph.D., am providing this statement of facts in support of a petition to make the above-identified patent application special pursuant to 37 C.F.R. § 1.102(d) and MPEP § 708.02 (XII). I hereby declare and state as follows:

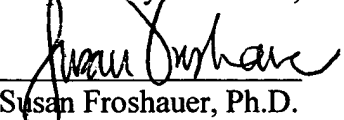
- (1) I am the President and Chief Executive Officer of Rib-X Pharmaceuticals, Inc. ("Rib-X").
- (2) Yale University is the owner by assignment of the above-identified patent application.
- (3) Yale University has granted Rib-X an exclusive license under the above-identified patent application.
- (4) Both Yale and Rib-X are entitled to, and hereby claim small entity status for the application. Yale is a nonprofit organization, and Rib-X is a small business concern.
- (5) Rib-X is a new bioscience company focused on the discovery of new anti-infective agents. The company's drug discovery program is focused on the exploitation of the high-resolution crystal structure of the 50S subunit of the ribosome, to which known antibiotics bind. The company's integrated research program combines a series of approaches including biochemistry, molecular

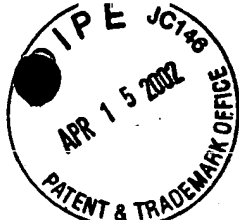
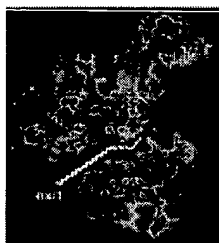
biology, microbiology, medicinal chemistry, x-ray crystallography and computational chemistry (see, Exhibit A).

- (6) The patent application is a major asset of Rib-X. The patent application relates to the high-resolution crystal structure of the 50S subunit of the ribosome and its use in the development of new anti-infective agents. The technology described in the patent application forms a core technology platform for Rib-X. Furthermore, the patent application and the potential exclusivity afforded by a patent issuing from the application represents a major company asset.
- (7) The development of the technology described in the patent application will be significantly impaired if examination of the patent application is delayed. Rib-X recently secured \$22 million in a Series A financing (see, Exhibit A). A major consideration of the investors at the time of the financing was the availability and existence of patent protection for the technology described in the patent application. Because drug discovery is expensive, Rib-X likely will have to secure additional rounds of financing to support the development of the technology. The early allowance of claims in the patent application likely will improve Rib-X's chances of attracting and securing additional rounds of financing to develop the technology further.
- (8) All statements made of my knowledge are true and all statements made on information are believed to be true. I understand that willful false statements and the like are punishable by fine, imprisonment, or both under 18 U.S.C. §1001, and may jeopardize the validity of the application or any patent issuing thereon.

Signed at New Haven, this 08th day of April, 2002.

Respectfully submitted,


Susan Froshauer, Ph.D.
President & CEO
Rib-X Pharmaceuticals, Inc.



RIB-X Pharmaceuticals

RECEIVED
RECEIVED
APR 16 2002
MAY 31 2002
TECHNOLOGY CENTER 2800
TECH CENTER 1600/2900

Home
About Us
Jobs Available
Directions
Investor Information

SOURCE: Rib-X Pharmaceuticals, Inc.

Rib-X Pharmaceuticals Secures \$22 Million in Series A Financing

NEW HAVEN, Conn., Jan. 2 /PRNewswire/ -- Rib-X Pharmaceuticals, Inc., a bioscience company focused on the discovery of new anti-infectives, today announced that it has raised approximately \$22 million in a Series A financing. The company will exploit a proprietary high resolution crystal structure of the ribosome to discover new antibiotic agents. The ribosome performs the essential biological function of protein synthesis, and is the target for many known antibiotics. Rib-X has exclusively licensed the high resolution ribosome structure that was discovered by two of the company's founders, Thomas Steitz, Ph.D. and Peter Moore, Ph.D., both of Yale University. In addition, the company has exclusive access to breakthrough structure-based drug design software developed by company co-founder William Jorgensen, Ph.D., also of Yale.

SR One Limited/EuclidSR Partners and Oxford Bioscience Partners served as lead investors for the financing. Other participating investors include ABS Ventures, Axiom Ventures, Cardinal Partners, Connecticut Innovations and Zero Stage Capital. Michael Lytton of Oxford Bioscience Partners and Barbara Dalton, Ph.D. of SR One Limited/EuclidSR Partners have been named to Rib-X's board of directors, bringing the board to five members. Other board members include co-founders John Abelson, Ph.D. of the California Institute of Technology, Harry Penner (chair) former President and Chief Executive Officer of Neurogen Corporation and Susan Froshauer, Ph.D., President and Chief Executive Officer of Rib-X.

"We founded Rib-X confident in our belief that the key elements of success in drug discovery are a validated chemical space and a validated clinical target," stated Dr. Susan Froshauer, President and CEO of Rib-X Pharmaceuticals. "The Steitz and Moore technology both provides a window to the binding of known antibiotics to the ribosome and presents an invaluable opportunity to design multiple new classes of antibiotic agents. Having reached this level of research and development funding with such a high caliber investor base, we are in an optimal position to successfully harness the intellectual richness of the ribosome technology and the collective knowledge of our scientific founders."

"The work of Professors Moore and Steitz in generating the high resolution structure of the ribosome is a scientific tour de force, and when

combined with Professor Jorgensen's computational chemistry technology, presented a compelling platform for the establishment of a new antibiotic company," said Michael Lytton, General Partner of Oxford Bioscience Partners. Dr. Barbara Dalton, General Partner of SR One Limited/EuclidSR Partners, further commented, "the Company's technology is not only novel and state-of-the art, but it has the capability of reducing the risk of clinical trial failure and moving viable product candidates through the discovery process more quickly."

About the Rib-X Technology:

Rib-X has exclusive license to the high-resolution crystal structure of the largest area of the bacterial ribosome, its 50S subunit, as well as detailed three-dimensional chemical and physical understanding of how drugs bind to the ribosome. This knowledge, in conjunction with proprietary structure-based drug design software created by Dr. Jorgensen, will be used at Rib-X to discover new classes of anti-infective agents. Jorgensen's software will allow Rib-X to guide the synthesis of novel chemical matter by interpreting the properties of existing drugs and from that interpretation, to design new drugs with improved properties.

About Rib-X Pharmaceuticals, Inc.

In addition to Steitz, Moore and Jorgensen, the scientific founders of Rib-X include Dr. Harry Noller, from the University of California, Santa Cruz and Dr. John Abelson, from the California Institute of Technology. Noller has spent his entire career pursuing studies of the ribosome. He brings to the Rib-X founding team an in-depth understanding of the genetics and biochemistry of ribosome function. Dr. Abelson was a founding scientist at Agouron, and as such brings to Rib-X his experience in guiding structure-based drug discovery programs into the clinic. Since many of the antibiotics that bind to the ribosome interact specifically with RNA, Abelson's scientific expertise in the area of RNA biochemistry contributes a further valuable component to the elite founding team. Dr. Susan Froshauer, the Company's President and Chief Executive Officer was a member of the Strategic Alliances group at Pfizer and was responsible for a suite of platform technology deals, "the Big Four," valued at approximately \$200 million.

Rib-X Pharmaceuticals is a small molecule drug discovery company focused on the structure-based design of new classes of anti-infective agents. The company's drug discovery strategy is focused on the exploitation of its proprietary high resolution crystal structure of the 50S subunit of the ribosome, to which known antibiotics bind. The company's integrated research approach combines computational analysis, x-ray crystallography, medicinal chemistry, microbiology and biochemistry, allowing for the rapid synthesis of new agents, which avoid typical antibiotic resistance mechanisms. Utilizing its proprietary software and intellectual property, Rib-X expects to quickly optimize leads to create a new class of antibiotics.

Contacts

Rx Communications Group

Rhonda Chiger (investors)

917-322-2569

rchiger@rxir.com

Pete Holmberg (media)

917-501-7434

pholmberg@rxir.com